

## REMARKS

In the Office Action of February 13, 2001, the Examiner asked the Applicant to clarify whether the instant application is filed as a reissue application or as a non-reissue application. The Examiner has indicated that if the application is a reissue application, then Applicant must submit a reissue oath/declaration defining the error. Conversely, the Examiner has indicated that if the instant application is a non-reissue application, then the claims are rejected under 35 U.S.C. § 102.

Applicant respectfully apologizes for any confusion created in filing the present application. In accordance with MPEP § 1451, the present application is a "continuation reissue application". By the above amendment, Applicant has amended the first sentence of the specification to clarify the relationship to the parent reissue application. In addition, Applicant submits a declaration defining the error in the parent patent, as requested by the Examiner.

## REISSUE OATH/DECLARATION, CONSENT, ETC.

The Examiner indicated that if the instant application was filed as a reissue, that a reissue oath/declaration defining the error, consent of assignee, etc., would need to be filed if the present application was filed as a reissue application. The required documents are forwarded herewith.

The reissue declaration has been executed by one of the inventors, but not both, as one of the inventors has refused to cooperate in prosecuting the instant application. In accordance with M.P.E.P. § 1410.01, M.P.E.P. § 409 and 37 C.F.R. § 1.47, the instant application is filed by one of the inventors along with a Petition including proof of the pertinent facts, as well as a fee set forth in 37 C.F.R. § 1.17(i).

TERMINAL DISCLAIMER

It is believed that there may be a double patenting rejection in view of the allowance of claims in the parent reissue application Serial No. 09/283,843, filed on March 31, 1999. To overcome any potential double patenting rejection, Applicant has filed a terminal disclaimer herewith disclaiming the term of any patent to issue on the present application which would extend beyond the patent resulting from application Serial No. 09/283,843.

CONCLUSION

The Examiner's attention to the present application is appreciated, particularly in view of the relative complexities of the issues involved in the present application. The claims in this case are believed to be in condition for allowance, and it should be noted that the Issue Fee has been paid.

Respectfully submitted,

DRUMMOND & DUCKWORTH

A handwritten signature in cursive script, appearing to read "David G. Duckworth", written in black ink.

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

Serial No: 09/596,850

**AMENDMENT OF THE SPECIFICATION**

-1-

This application is a Continuation reissue application of reissue application Serial No. 09/283,843, filed March 31, 1999, which is, in turn, a reissue application of U.S. Patent No. 5,615,855, issued April 1, 1997, which is, in turn, a Continuation-in-Part of the USA application Serial No. 08/072,817, filed June 7, 1993, now U.S. Patent No. 5,593,129, issued January 14, 1997, which is a national-stage application derived from PCT international application PCT/US92/08721, filed October 6, 1992.

This invention relates to a telescoping mast which includes an integral payload.

More particularly, the invention pertains to an integrated telescoping mast-payload assembly which is specially adapted for mobile and portable use.

In another respect the invention relates to a telescoping mast-payload assembly which is specially configured for use under hazardous ambient conditions, in conjunction with protective shelters for operating personnel.

Telescoping masts have been widely employed for radio antennas, lights and a variety of other fixtures, such as instrumentation and telemetry packages for robotic vehicles, television cameras, mast-mounted antenna rotators, preamplifiers, radiation sensors and similar fragile electronic and electro-mechanical instrument packages.